

400 Garden City Plaza - Suite 300
Garden City, New York 11530
(516) 742-4343 - Telephone
(516) 742-4366 - Facsimile
e-mail: intprop@ssmp.com

**SCULLY, SCOTT, MURPHY
& PRESSER**

US PATENT & TRADEMARK
OFFICE

Fax

To:	Attention: Refunds U.S. Patent and Trademark Office	From:	Rashida Doganguzel for David Torrente
Fax:	(571) 273-6500	Pages:	8 (including fax cover sheet)
Phone:		Date:	04-Nov-05
Re:	USSN: 09/363,868 Filed July 29, 1999 Applicant: Michiaki Sakamoto, et al. Attorney Docket: 12873	CC:	

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

In the above-referenced application, an unsigned Combined Notice of Appeal and Petition for Extension of time was erroneously mailed, including check No. 38739 in the amount of \$1,520. An overriding and controlling Express Abandonment was faxed to the Office, and received and entered into the file on 12 Sept 2005, before the erroneously mailed Notice of Appeal and Petition for extension of time, received 14 Sept 2005. Both the Notice of Abandonment and the standing instructions in the application instructed credit of any overpayment to Deposit Account 19-1013. However, to date, no credit of the errantly paid fees has been received. Enclosed are copies of the Express Abandonment, unsigned Combined Notice of Appeal and Petition, and Notice of Abandonment, derived from the Image File Wrapper in this application, together with a copy of cancelled Check No. 38739.

Therefore, in light of the prior Express Abandonment and the unsigned nature of the Combined Notice of Appeal and Petition for Extension, kindly credit Deposit Account 19-1013 in the amount of \$1,520.

CONFIDENTIALITY: The documents accompanying this facsimile transmission may contain information which is either confidential or legally privileged and is intended only for the authorized use of the individual or entity named above without right or publication or republication, dissemination or disclosure except as expressly set forth or established by course of dealing. All rights are reserved. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this facsimile is prohibited. If you received this transmission in error, please notify us immediately by telephone to arrange for return of the documents.

G:\Nec\1158\12873\12873.refunds.doc

CENTRAL FAX CENTER

SEP 12 2005

400 Garden City Plaza - Suite 300
Garden City, New York 11530
(516) 742-4343 - Telephone
(516) 742-4366 - Facsimile
email: intprop@ssmp.com

**SCULLY, SCOTT, MURPHY
& PRESSER****Fax**

To:	USPTO	From:	David J. Torrens
Fax:	(571) 273-8300	Pages:	2 (Including Cover)
Phone:	(571) 272-2287	Date:	12-Sep-05
Re:	U.S. Patent Appln. No. 09/363,868	CC:	
	Filed 29 July 2005		
	Applicant: Michiaki Sakamoto, et al.		
	Attorney Docket: 12873		

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Attached please find the following:

- 1) Express Abandonment
- 2) Certificate of Facsimile Transmission dated 12 September 2005

CONFIDENTIALITY: The documents accompanying this facsimile transmission may contain information which is either confidential or legally privileged and is intended only for the authorized use of the individual or entity named above without right or publication or republication, dissemination or disclosure except as expressly set forth or established by course of dealing. All rights are reserved. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this facsimile is prohibited. If you received this transmission in error, please notify us immediately by telephone to arrange for return of the documents.

RECEIVED
CENTRAL FAX CENTER

SEP 12 2005

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Michiaki Sakamoto

Examiner: Dung T. Nguyen

Serial No: 09/363,868

Art Unit: 2871

Filed: 29 July 1999

Docket: 12873

For: LIQUID CRYSTAL
DISPLAY DEVICE

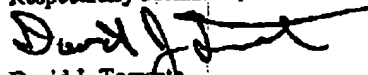
Dated: 12 September 2005

Assistant Commissioner for Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231EXPRESS ABANDONMENT

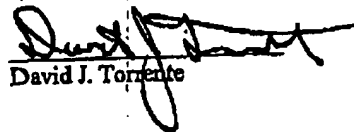
Sir:

Pursuant to the provisions of 37 C.F.R. §1.138, application Serial Number 09/363,868 is hereby expressly abandoned. Any further instructions in this application should be disregarded, and any fees paid credited to deposit account No. 19-1013/SSMP.

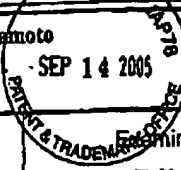
Respectfully submitted,

David J. Torrente
Registration No. 49,099Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office at (571) 273-8300 on 12 September 2005.

Dated: 12 September 2005
David J. Torrente

G:\Nec\1156\12873\AMEND\12873.expaban.doc

COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)				Docket No. 12873	
In Re Application Of: Michiaki Sakamoto <div style="text-align: center;">  </div>					
Application No. 09/363,868	Filing Date July 29, 1999	Examiner Dung T. Nguyen	Customer No. 23389	Group Art Unit 2871	Confirmation No. 8658
Invention: LIQUID CRYSTAL DISPLAY DEVICE					
09/15/2005 TBESHWH1 00000011 09363868 01 FC:1401 500.00 0P					
COMMISSIONER FOR PATENTS:					
This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of <u>March 11, 2005</u> in the above-identified application. <small>Date</small>					
Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated <u>March 11, 2005</u> finally rejecting Claim(s) 1-4, 6-10, 19-22, and 40-47					
Applicant(s) hereby request(s) an extension of time of (check desired time period): <input type="checkbox"/> One month <input type="checkbox"/> Two months <input checked="" type="checkbox"/> Three months <input type="checkbox"/> Four months <input type="checkbox"/> Five months					
from: <u>June 11, 2005</u> until: <u>September 12, 2005</u> <small>Date Date</small>					
The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:					
09/15/2005 TBESHWH1 00000011 09363868		Fee for Notice of Appeal: \$500.00			
02 FC:1253 1020.00 0P		Fee for Extension of Time: \$1,020.00			
		TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$1,520.00			
The fee for the Notice of Appeal and extension of time is to be paid as follows:					
<input checked="" type="checkbox"/> A check in the amount of \$1,520.00 for the Notice of Appeal and extension of time is enclosed.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-1013/SSMP					
<input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.					
<input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
<input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 19-1013/SSMP					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					

P29LARGE/REV06

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 CFR 1.136(a) (Large Entity)**Docket No.
12873

In Re Application Of: Michiaki Sakamoto

SEP 14 2005

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/363,868	July 29, 1999	Dung T. Nguyen	23389	2871	8658

Invention: **LIQUID CRYSTAL DISPLAY DEVICE****TO THE COMMISSIONER FOR PATENTS:**

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:

Dated: September 12, 2005Signature

Paul J. Esatto, Jr.
Registration No. 30,749
Scully, Scott, Murphy & Presser
400 Garden City Plaza, Suite 300
Garden City, New York 11530

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax no. _____) on _____ (Date)	
_____ Signature	
_____ Typed or Printed Name of Person Signing Certificate	

*This certificate may only be used if paying by deposit account.

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" (37 CFR 1.8(a) on _____ September 12, 2005 (Date)	
_____ Signature of Person Mailing Correspondence	
Paul J. Esatto, Jr. Typed or Printed Name of Person Mailing Correspondence	

cc: PJE:DJT:rd

P26LARGEREV06



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 142
Alexandria, Virginia 22313-1420
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/363,868	07/29/1999	MICHAELI SAKAMOTO	12873	8658

23389 7590 09/15/2005

SCULLY SCOTT MURPHY & PRESSER, PC
400 GARDEN CITY PLAZA
SUITE 300
GARDEN CITY, NY 11530

EXAMINER

HOUYEN, DUNG T

ART UNIT

PAPER NUMBER

2871

DATE MAILED: 09/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Abandonment

Application No.

09/363,868

Examiner

Nguyen, Dung T

Applicant(s)

SAKAMOTO, MICHIAKI

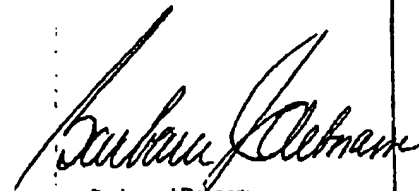
Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on _____.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☒ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:



Barbara J Deonam
Management & Program Analyst
Art Unit: 3900

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

U.S. Patent and Trademark Office
PTOL-1432 (Rev. 04-01)

Notice of Abandonment

Part of Paper No. 1

277AF

COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)				Docket No. 12873	
In Re Application Of: Michiaki Sakamoto					
Application No. 09/363,868	Filing Date July 29, 1999	Examiner Dung T. Nguyen	Customer No. 23389	Group Art Unit 2871	Confirmation No. 8658
Invention: LIQUID CRYSTAL DISPLAY DEVICE					
09/15/2005 TBESHAH1 00000011 09363868 01 FC:1401 500.00 OP					
<u>COMMISSIONER FOR PATENTS:</u>					
This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of <u>March 11, 2005</u> in the above-identified application. <small>Date</small>					
Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated <u>March 11, 2005</u> finally rejecting Claim(s) 1-4, 6-10, 19-22, and 40-47					
Applicant(s) hereby request(s) an extension of time of (check desired time period): <input type="checkbox"/> One month <input type="checkbox"/> Two months <input checked="" type="checkbox"/> Three months <input type="checkbox"/> Four months <input type="checkbox"/> Five months					
from: <u>June 11, 2005</u> <small>Date</small>		until: <u>September 12, 2005</u> <small>Date</small>			
The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:					
09/15/2005 TBESHAH1 00000011 09363868		Fee for Notice of Appeal:		<u>\$500.00</u>	
02 FC:1253 1020.00 OP		Fee for Extension of Time:		<u>\$1,020.00</u>	
TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME:				<u>\$1,520.00</u>	
The fee for the Notice of Appeal and extension of time is to be paid as follows:					
<input checked="" type="checkbox"/> A check in the amount of <u>\$1,520.00</u> for the Notice of Appeal and extension of time is enclosed.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <u>19-1013/SSMP</u>					
<input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.					
<input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
<input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a petition therefor and charge any additional fee which may be required to Deposit Account No. <u>19-1013/SSMP</u>					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					

Adjustment date: 12/06/2005 SDIRETA1
09/15/2005 TBESHAH1 00000011 09363868
01 FC:1401 -500.00 OP
Adjustment date: 12/06/2005 SDIRETA1
09/15/2005 TBESHAH1 00000011 09363868
02 FC:1253 -1020.00 OP

P29LARGE/REV06

RepIn. Ref: 12/06/2005 SDIRETA1 00008540000
Name: Number: 09363868
FC: 9204

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**

Docket No.
12873

In Re Application Of: Michiaki Sakamoto



Application No.

09/363,868

Filing Date

July 29, 1999

Examiner

Dung T. Nguyen

Customer No.

23389

Group Art Unit

2871

Confirmation No.

8658

Invention: **LIQUID CRYSTAL DISPLAY DEVICE**

TO THE COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:

Dated: September 12, 2005

Signature

Paul J. Esatto, Jr.
Registration No. 30,749
Scully, Scott, Murphy & Presser
400 Garden City Plaza, Suite 300
Garden City, New York 11530

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office
(Fax no. _____) on

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

*This certificate may only be used if paying by deposit account.

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a) on

September 12, 2005

(Date)

Signature of Person Mailing Correspondence

Paul J. Esatto, Jr.

Typed or Printed Name of Person Mailing Correspondence

cc: PJE:DJT:rd